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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/001,260	11/01/2001	Charles G. Williamson	09741620/0203	8355

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SONNENSCHN NATH & ROSENTHAL

Sears Tower

Wacker Drive Station

P.O. Box 061080

Chicago, IL 60606-1080

EXAMINER

MOORE, JAMES K

ART UNIT

PAPER NUMBER

2682

DATE MAILED: 02/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/001,260

Applicant(s)

WILLIAMSON, CHARLES G.

Examiner

James K Moore

Art Unit

2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-24 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claim 7 is objected to because of the following informalities: "sets" should be changed to "set".

Claim 14 is objected to because of the following informalities: in line 2, "form" should be changed to "from" and "plurality of preset **button**" should be changed to "plurality of preset **buttons**". Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 8, 11, 12, 20, 21, 23, and 24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 8 recites the limitation "the alarm clock" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 11 recites the limitation "the first computing device" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 12 recites the limitation "the second computing device" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 20 recites the limitation "the first computing device" in lines 5-6. There is insufficient antecedent basis for this limitation in the claim.

Claim 21 recites the limitation "the second computing device" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim.

Claim 23 states that "the step establishing" includes "means for assigning". This language is indefinite because a step cannot include means.

Claim 24 recites the limitation "the means for communicating" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claim 16 is rejected under 35 U.S.C. 102(a) as being anticipated by Hewitt et al. (U.S. Patent Application Publication US 2001/0034219 A1).

Regarding claim 16, Hewitt discloses a data structure in a user profile located in a database (subscriber database 183). The data structure comprises a user profile identifier, preset button identifiers linked to the user profile identifier, and an association between each of the preset button identifiers and a radio station. See paragraphs 14, 21, and 24.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-4, 9, 10, 14, 15, 19, 23, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hewitt et al. in view of Louderback (article titled "Kerbango Debuts Internet Boom Box") and Yamamoto et al. (U.S. Patent No. 6,166,778).

Regarding claims 1, 10, and 19, Hewitt discloses a system comprising a first network device (PC 170) having a graphical interface, and a radio (radio appliance 150). An association between a first set of configuration data (presets) and second set of configuration data (radio stations) are stored in a user profile in a remote database (subscriber database 183), and the first network device is used to access the association data. The radio inherently comprises a digital controller that communicates with the remote database to retrieve and apply the user profile to facilitate operation of the radio. See paragraphs 14, 20, 21, and 24. Hewitt does not disclose that the graphical interface displays an association page that establishes the association and displays it in a list format.

However, Louderback discloses a system to remotely configure a radio in which a computer displays an association page that establishes an association between radio stations and presets. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hewitt with Louderback, such that the graphical interface

displays an association page that establishes the association, in order to provide a user of the radio with a user-friendly device for establishing the association data.

In addition, Yamamoto discloses a system for programming channel presets for a broadcast receiver. Yamamoto discloses an association page that establishes an association list between channels and presets. Yamamoto discloses that the list allows the user to visually recognize the correspondence of the preset channels and corresponding preset numbers, thereby reduced errors in recognition. See Figure 7 and col. 15, lines 8-40. It would have been obvious to one of ordinary skill in the art at the time of the invention to further modify Hewitt in view of Louderback with Yamamoto, such that the association page displays the association between the radio stations and the presets in the form of a list, in order to allow the user to visually recognize their correspondence and thereby reduce errors in recognition.

Regarding claim 2, Hewitt in view of Louderback and Yamamoto teaches all of the limitations of claim 1, and Hewitt also discloses that the first set of configuration data is preset button identifiers, and that the second set is radio stations. See paragraph 24.

Regarding claim 3, Hewitt in view of Louderback and Yamamoto teaches all of the limitations of claim 2, and Hewitt also discloses that a preset button located at the radio is associated with a radio station in response to receipt of the association data at the radio. See paragraph 24.

Regarding claim 4, Hewitt in view of Louderback and Yamamoto teaches all of the limitations of claim 1, and Hewitt also discloses that a location identifier identifies radio stations that are included in the first set of configuration data. See paragraph 22.

Regarding claim 9, Hewitt in view of Louderback and Yamamoto teaches all of the limitations of claim 1, and Hewitt also discloses that the graphical interface may be a web browser. See paragraph 20.

Regarding claims 14 and 23, Hewitt in view of Louderback and Yamamoto teaches all of the limitations of claims 10 and 19, and Louderback also discloses that the association is established by assigning a preset button identifier to a radio station.

Regarding claims 15 and 24, Hewitt in view of Louderback and Yamamoto teaches all of the limitations of claims 14 and 23, and Louderback also discloses that a preset button is configured in the radio to select the radio station upon the selection of the preset button.

8. Claims 5, 7, 13, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hewitt in view of Louderback and Yamamoto as applied to claims 1 and 10 above, and further in view of Steinmark (U.S. Patent Application Publication US 2003/0001727 A1).

Regarding claims 5, 13, and 22, Hewitt in view of Louderback and Yamamoto teaches all of the limitations of claims 1, 10, and 19, but does not teach that the system comprises an alarm configuration page displayed in the graphical interface that establishes an alarm time list with an associated alarm type in the user profile. However, Steinmark teaches this feature. Steinmark discloses an alarm system which comprises an enhanced alarm clock (101) which may be incorporated in a radio. A user may access an alarm configuration page (web site) which is inherently displayed in a

graphical interface that establishes an alarm time list with an associated alarm type (audible, visual, vibrating alarm) in a user profile. See paragraphs 20, 22, 24, 31, and 32. Steinmark also teaches that by storing the alarm information in a remote user profile, the alarm times may be adjusted and enhanced by taking into account other conditions such as weather or traffic, and the user can maximize his time. See paragraph 57. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hewitt in view of Louderback and Yamamoto with Steinmark, such that the system comprises an alarm configuration page displayed in the graphical interface that establishes an alarm time list with an associated alarm type in the user profile, in order to provide a user with enhanced alarm features which allow him to maximize his time.

Regarding claim 7, Hewitt in view of Louderback, Yamamoto, and Steinmark teaches all of the limitations of claim 5, and Steinmark also discloses that an alarm clock in the radio is set in response to receipt of the alarm list and the associated alarm type from the user profile. See paragraph 30.

9. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hewitt in view of Louderback, Yamamoto, and Steinmark as applied to claim 5 above, and further in view of Wachob et al. (U.S. Patent No. 5,334,975).

Regarding claim 8, Hewitt in view of Louderback, Yamamoto, and Steinmark teaches all of the limitations of claim 5, but does not teach that receipt of a time synchronization message at the radio results in the alarm clock being set. However,

Wachob teaches a system in which receipt of a time synchronization message at a radio result in an internal clock being set. This eliminates the need for a consumer to set the clock himself. See col. 1, lines 35-64. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hewitt in view of Louderback, Yamamoto, and Steinmark with Wachob, such that receipt of a time synchronization message at the radio results in the alarm clock being set, in order to eliminate the need for a user to set the clock himself.

10. Claims 12 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hewitt in view of Louderback and Yamamoto as applied to claims 10 and 19 above, and further in view of Wachob et al.

Regarding claims 12 and 21, Hewitt in view of Louderback and Yamamoto teaches all of the limitations of claims 10 and 19, but does not teach that a time synchronization message is sent to the radio and a clock in the radio is set in response to reception of the time synchronization message. However, Wachob teaches a system in which receipt of a time synchronization message at a radio result in an internal clock being set. This eliminates the need for a consumer to set the clock himself. See col. 1, lines 35-64. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hewitt in view of Louderback and Yamamoto with Wachob, such that a time synchronization message is sent to the radio and a clock in the radio is set in response to reception of the time synchronization message, in order to eliminate the need for a user to set the clock himself.

11. Claims 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hewitt in view of Steinmark.

Regarding claim 17, Hewitt discloses all of the limitations of claim 16, but does not disclose that the data structure comprises a plurality of alarm times linked to the user profile identifier and an alarm type linked to each of the plurality of alarm times. However, Steinmark discloses an alarm system which comprises an enhanced alarm clock (101) which may be incorporated in a radio. A user accesses a data structure in a user profile in a database, which comprises a plurality of alarm times linked to a user profile identifier (login name) and an alarm type linked to each of the alarm times. See paragraphs 29 and 32. Steinmark also teaches that by storing the alarm information in a remote user profile, the alarm times may be adjusted and enhanced by taking into account other conditions such as weather or traffic, and the user can maximize his time. See paragraph 57. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hewitt with Steinmark, such that the data structure comprises a plurality of alarm times linked to the user profile identifier and an alarm type linked to each of the plurality of alarm times, in order to provide a user with enhanced alarm features which allow him to maximize his time.

Regarding claim 18, Hewitt in view of Steinmark teaches all of the limitations of claim 17, and Steinmark also discloses that the alarm type for a radio may be a radio station. See paragraph 4.

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ken Moore, whose telephone number is (703) 308-6042. The examiner can normally be reached on Monday-Friday from 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin, can be reached at (703) 308-6739.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

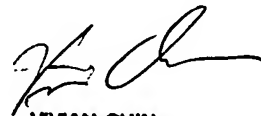
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Ken Moore

1/27/03

Ken Moore



VIVIAN CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600